

512 Rec'd PCT/PTO 03 JUN 1999

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PATENT
Docket No. 3123-4000US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RO/US

Applicant(s) : EMALFARB, Mark A. et al.
International
Application No. : PCT/US97/17669
U.S. Application No. : 09/284115
International
Filing Date : 30 September 1997 (30/09/97)
For : CHRISOSPORIUM CELLULASE AND METHOD OF USE

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

ATTENTION: DO/EO

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US)**

Sir:

This Communication is submitted in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office issued on May 10, 1999 (copy is attached). The Notification required the submission of Oath or Declaration of the inventors, in compliance with 37 CFR 1.497 9 (a) and (b), for the above-identified International Application by June 10, 1999.

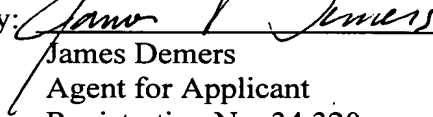
Enclosed herewith are eight (8) Declaration/Power of Attorneys, one for each coinventor, and a check in the amount of Sixty-Five Dollars (\$65) (small entity fee) to cover the surcharge for providing the declaration later than the appropriate 20 or 30 months from the priority date, pursuant to 37 CFR 1,492(e).

If any additional fee is required, authorization is hereby given to charge the

amount of any such fee to Deposit Account No. 13-4500, Docket No. 3123-4000US2. A
DUPLICATE COPY OF THIS COMMUNICATION IS ATTACHED.

Respectfully submitted,

Dated: June 3, 1999

By: 
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Agent for Applicant
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09/284152



Patent and Trademark Office
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U.S. APPLICATION NO. 09/284152 FIRST NAMED APPLICANT M ATTY. DOCKET NO. 2123-4000US2

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5611

INTERNATIONAL APPLICATION NO.

PCT/US97/17669

L.A. FILING DATE

PRIORITY DATE

DATE MAILED: 09/30/97

10/10/96

05/10/99

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☐ a non-English language.
☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 4.8.99 and _____

☐ Information Disclosure Statement(s) filed _____ and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification file.

☒ Verified Statement Claimant Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 20 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

CASE 2123-4000 ^{US2} ATTY ZVC
DUE DATE June 10, 1999
STATUTORY DATE October 10, 1999

BY

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MORGAN & FINNEGAN LLP

RECEIVED
DOCKET DEPT.

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